

E. Evans Wohlforth, Jr.  
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*Attorneys for Defendant*  
*Connecticut General Life Insurance Company*

MONTVALE SURGICAL CENTER, LLC  
a/s/o various "PATIENTS",

Plaintiff,

vs.

CONNECTICUT GENERAL LIFE  
INSURANCE COMPANY D/B/A CIGNA,  
CIGNA HEALTHCARE OF NEW JERSEY,  
INC.; ABC CORP. (1-10) (said names being  
fictitious and unknown entities),

Defendants.

Civil Action No.: 12-05257 (SRC) (CLW)

*Document Electronically Filed*

**DECLARATION OF E. EVANS  
WOHLFORTH, JR. IN SUPPORT OF  
DEFENDANT'S OPPOSITION TO  
PLAINTIFF'S MOTION FOR LEAVE  
TO FILE A MOTION OUT-OF-TIME  
FOR LEAVE TO FILE A "SECOND  
AMENDED COMPLAINT"**

I, **E. EVANS WOHLFORTH, JR.**, hereby certify to the Court as follows:

1. I am an attorney and a member of the law firm of Gibbons P.C., counsel for Defendants Connecticut General Life Insurance Company and CIGNA Healthcare Of New Jersey, Inc. (collectively "CGLIC"). I am fully familiar with the facts set forth herein and submit this Declaration in support of CGLIC's Opposition to Plaintiff Montvale Surgical Center, LLC's Motion for Leave to File a Motion Out-of-Time for Leave to File a "Second Amended Complaint".

2. On February 19, 2014, this law firm produced twenty-nine Summary Plan Descriptions (“SPDs”) that are at issue in this matter to Plaintiff’s counsel via Federal Express. Attached hereto as Exhibit A is a true and accurate copy of the cover letter to Plaintiff’s counsel enclosing CGLIC’s first production.

3. On March 4, 2014, this law firm produced the remaining thirteen SPDs that are at issue in this matter to Plaintiff’s counsel via Federal Express. Attached hereto as Exhibit B is a true and accurate copy of the cover letter to Plaintiff’s counsel enclosing CGLIC’s supplemental production.

I declare under penalty of perjury that the foregoing is true and correct.

s/ E. Evans Wohlforth, Jr.

E. Evans Wohlforth, Jr.

Dated: July 17, 2014  
Newark, NJ

## **EXHIBIT A**

**GIBBONS**

E. EVANS WOHLFORTH, JR.  
Director

Gibbons P.C.  
One Gateway Center  
Newark, New Jersey 07102-5310  
Direct: (973) 596-4879 Fax: (973) 639-6486  
ewohlforth@gibbonslaw.com

February 19, 2014

**VIA FEDERAL EXPRESS**

Andrew R. Bronsnick  
Massood & Bronsnick LLC  
50 Packanack Lake Road  
Wayne, NJ 07470

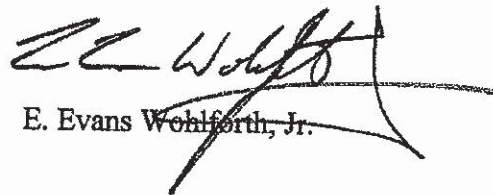
**Re: Montvale Surgical Center, LLC v. Connecticut Gen. Life Ins. Co., et al.  
Civil Action No. 12-05257 (SRC) (CLW)**

Dear Mr. Bronsnick:

As you know, we represent Defendants Connecticut General Life Insurance Company and CIGNA Healthcare of New Jersey (collectively, "Defendants"), in the above-referenced matter. Enclosed herewith please find a DVD containing the Defendants initial production of documents pursuant to Rule 26 of the Federal Rules of Civil Procedure and Local Civil Rule 26.1, bates stamped Cigna-Montvale 000001 to Cigna-Montvale 002507, which includes a majority of the Summary Plan Descriptions ("SPDs") at issue in this matter. Please note that there are additional SPDs that are not included herewith, as we are awaiting confirmation of same from our client. We anticipate producing these documents to you shortly.

Thank you for your attention to this matter.

Very truly yours,

  
E. Evans Wohlforth, Jr.

Enclosure

cc: Ryan E. Hanlon, Esq.

## **EXHIBIT B**



RYAN E. HANLON  
Associate

Gibbons P.C.  
One Gateway Center  
Newark, New Jersey 07102-5310  
Direct: (973) 596-4493 Fax: (973) 639-6355  
rhanlon@gibbonslaw.com

March 4, 2014

**VIA FEDEX**

Andrew R. Bronsnick  
Massood & Bronsnick LLC  
50 Packanack Lake Road  
Wayne, NJ 07470

**Re: Montvale Surgical Center, LLC v. Connecticut Gen. Life Ins. Co., et al.  
Civil Action No. 12-05257 (SRC) (CLW)**

Dear Mr. Bronsnick:

As you know, we represent Defendants Connecticut General Life Insurance Company and CIGNA Healthcare of New Jersey (collectively, "Defendants") in the above-referenced matter. Enclosed herewith please find a DVD containing the Defendants' supplemental production of documents pursuant to Rule 26 of the Federal Rules of Civil Procedure and Local Civil Rule 26.1, bates stamped Cigna-Montvale 002508 to Cigna-Montvale 004326, which is the remainder of the Summary Plan Descriptions ("SPDs") at issue in this matter.

Thank you for your attention to this matter.

Very truly yours,

Ryan E. Hanlon

Enclosure

cc: E. Evans Wohlforth, Jr., Esq.